



Docket No.  
2100/US/2

## Declaration For Patent Application

### English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**AUTOMATIC RETRACTABLE AWNING**

the specification of which

(check one)

☐ is attached hereto.

☒ was filed on August 20, 2003 as United States Application No. or PCT International Application Number 10/645,264 and was amended on \_\_\_\_\_

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/>
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/>
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/>

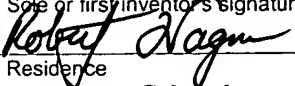
I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

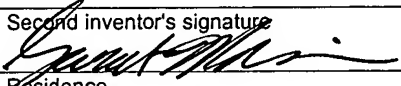
60/469,276	May 8, 2003
(Application Serial No.)	(Filing Date)
(Application Serial No.)	(Filing Date)
(Application Serial No.)	(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, CFR Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor <b>Robert Wagner</b>	
Sole or first inventor's signature 	Date <b>October 9, 2003</b>
Residence <b>Longmont, Colorado</b>	
Citizenship <b>US</b>	
Post Office Address <b>6781 Quincy Avenue</b>	
<b>Longmont, CO 80504</b>	

Full name of second inventor, if any <b>Garret Mauldin</b>	
Second inventor's signature 	Date <b>10-9-03</b>
Residence <b>Arvada, Colorado</b>	
Citizenship <b>US</b>	
Post Office Address <b>7121 Eldridge Court</b>	
<b>Arvada, CO 80004-5923</b>	

Full name of third inventor, if any	
Third inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

Full name of fourth inventor, if any	
Fourth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

DEC 01 2003

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Inventor Owner: Robert Wagner and Garret MauldinApplication No./Patent No.: Not Yet Assigned (10/645,264) Filed/Issue Date: August 20, 2003Entitled: **AUTOMATIC RETRACTABLE AWNING**Carefree/Scott Fetzer Company, a Delaware corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

10/21/03  
Date
\_\_\_\_\_  
Telephone number

Thomas G. Faludy

Typed or printed name

  
Signature

President

\_\_\_\_\_  
Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETE D FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**A S S I G N M E N T**

WHEREAS, We, Robert Wagner, of Longmont, Colorado, and Garret Mauldin, of Arvada, Colorado, have made a certain new and useful invention relating to a AUTOMATIC RETRACTABLE AWNING for which we are making application for Letters Patent of the United States, said application being identified by Docket No. 2100/US/2 in the law firm of Dorsey & Whitney LLP, 370 Seventeenth Street, Suite 4700, Denver, Colorado 80202-5647, and which is executed concurrently herewith, and

WHEREAS, we now own the entire right, title and interest therein; and

WHEREAS, Carefree/Scott Fetzer Company, a Delaware corporation, whose post office address is 2145 W. Sixth Avenue, Broomfield, Colorado 80020, is desirous of acquiring the entire interest in and to said invention, said application, and the Letters Patent to be obtained therefor;

NOW THEREFORE, for and in consideration of the sum of One Dollar (\$1.00) and certain other good and valuable consideration to us in hand paid, the receipt and sufficiency of which are hereby acknowledged, we have sold, assigned, and set over and by these presents do hereby sell, assign and set over, unto the said corporation, and said assignee's legal representatives, successors and assigns, the entire right, title and interest in and to said invention, said application, and the Letters Patent, both foreign and domestic, that may or shall issue thereon; and we do hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent to the above mentioned assignee, consistent with the terms of this Assignment.

UPON SAID CONSIDERATION, we do hereby covenant and agree with the said assignee that we will not execute any writing or do any act whatsoever conflicting with these

presents, and that we will, at any time upon request, without further or additional consideration, but at the expense of the said assignee, execute such additional assignments and other writings and do such additional acts as said assignee may deem necessary or desirable to perfect the assignee's enjoyment of this grant, and render all necessary assistance in making application for and obtaining original, divisional, renewal, reissued, or extended Letters Patent of the United States, or of any and all foreign countries, on said invention, and in enforcing any rights or chooses in action accruing as a result of such applications or patents, by giving testimony in any proceedings or transactions involving such applications or patents, and by executing preliminary statements and other affidavits, it being understood that the foregoing covenant and agreement shall bind, and inure to the benefit of, the assigns and legal representatives of all parties.

IN WITNESS WHEREOF, we have hereunto set our hands and affixed our seals on the date hereinafter set forth.

October 9, 2003

Date

Robert Wagner

Robert Wagner

STATE OF COLORADO )  
COUNTY OF Broomfield ) ss.

On this 9th day of October 2003, before me, a notary public in and for said county, appeared Robert Wagner, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument, and acknowledged that he signed, sealed and delivered the same instrument as a free and voluntary act for the uses and purposes therein set forth.

(SEAL)

Victoria J. Kulke  
Notary Public

1345 Munciemonte Ct  
Address Broomfield CO

My commission expires: 3/31/07

10.9.03

Garret Mauldin

Date

Garret Mauldin

STATE OF COLORADO )

COUNTY OF Broomfield ) ss.

On this 9th day of October 2003, before me, a notary public in and for said county, appeared Garret Mauldin, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument, and acknowledged that he signed, sealed and delivered the same instrument as a free and voluntary act for the uses and purposes therein set forth.

(SEAL)

Victoria J. Kulke  
Notary Public

1345 Mummonte Ct  
Address Broomfield, CO

My commission expires: 3/31/07



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**POWER OF ATTORNEY**

Docket No.

2100/US/2

Name of Applicant: **Robert Wagner and Garret Mauldin**  
Address of Applicant: **6781 Quincy Avenue, Longmont, Colorado 80504, and  
7121 Eldridge Court, Arvada, Colorado 80004-5923, respectively**

Title: **AUTOMATIC RETRACTABLE AWNING**

Serial No., if Any: **Not Yet Assigned (U.S. appln. No. 10/645,264)**

Filed: **August 20, 2003**

TO THE COMMISSIONER FOR PATENTS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Honorable Sir:

I hereby appoint:

**USPTO Customer No. 20686**

as principal attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Please direct all future correspondence to:

**USPTO Customer No. 20686**

By:

  
**Thomas G. Faludy**

**President**

**Carefree/Scott Fetzer Company**

Dated: 10/20/03